

11/29  
(14)

## Selectmen's Minutes September 13, 2004 6:30 P.M.

Present, F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, Trey Shupert and Assistant Town Manager. Meeting was televised.

### **CITIZEN'S CONCERNS**

### **SEWER COMMISSIONER'S REPORT**

Dore' outlined the setting of the final betterments for Middle Fort Pond Brook. They will need to amend Sewer Regulations, (see pages attached)

PETER ASHTON– Moved Pursuant to Section 9 of Part D.10 of the Acton Sewer Assessment Bylaw (Bylaw) the Sewer Commissioner's hereby adopt the Rules and Regulations attached hereto with respect to Betterment Assessments (Chapter 7) and the Sewer Service Area (Chapter 8), DORE' HUNTER Second. UNANIMOUS VOTE

Dunham Park – Private way and privately constructed sewer line that is connected to the public sewer in High Street. PETER ASHTON - Move that the Board of Selectmen acting as Sewer Commissioner's hereby authorizes all current buildable house lots in the Dunham Park subdivision to be serviced by the public sewer in High Street (either directly or by means of sewer constructed in Dunham Lane itself) and finds that it is appropriate to issue separate sewer betterment assessments for each of these separate house lots in Dunham Park because those lots are, will be, and by the terms of the Planning Board's approval must be serviced by the public sewer in High Street (either because the lots are and will abut High Street itself, which is a public sewered street, or because the lots are and will be serviced by public sewerage through the Dunham Lane sewer line connection to the public sewer in High Street) DORE' HUNTER - Second, UNANIMOUS VOTE

Supplemental Order of Construction MFPB – PETER ASHTON- Move we adopt supplement order of MFPB including all items contained in this document. DORE' HUNTER – Second. UNANIMOUS VOTE

MFPB Sewer Betterment Area Order Determining Final Sewer Betterment Assessments for (Recorded Land) – PETER ASHTON – Move adopt the five page document and three exhibits as final determination of final sewer for recorded land. DORE' HUNTER - Second, UNANIMOUS VOTE

MFPB Sewer Betterment Area Order Determining Final Sewer Betterment Assessments for (Registered Land) – PETER ASHTON – Move adopt the five page document and three exhibits as final determination of final order of Construction for (REGISTERED LAND). DORE' HUNTER - Second. UNANIMOUS VOTE

Town of Acton Board of Selectmen Motion to Reallocate Sewer Gift – PETER ASHTON – Moved Pursuant to its statutory authority over gifts to the Town, the Board of Selectmen (with the assent of the Sewer Commissioner's) hereby moves to transfer and

reallocate \$150,000 of the Mill Corner/Pert Corp. gift from monies to be used to supplement the town's appropriations for the construction of the Middle Fort Pond Brook Sewer Area to monies to be used to supplement betterment income to meet the debt service of the Middle Fort Pond Brook Sewer Project. DORE' HUNTER – Second. UNANIMOUS VOTE.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **SPECIAL USE PERMIT #7/21/04-398, 10 CRAIG ROAD, RICH ARCHER -**

Mr. Archer outlined what he wants to do regarding his proposed training facility at 10a and 10b Craig Road. He will use the space as a gymnastics training area for young people. He addressed the parking lot and increases in traffic at certain times for pickups and drop offs. It was noted that normal parking lot stripping is required and also to preserve the Town's right to have Building Commissioner address if there are any problems with traffic. BOB JOHNSON – Move to approve. TREY SHUPERT – Second. UNANIMOUS VOTE.

**SITE PLAN SPECIAL PERMIT #03/09/04-396, MARGARET NAZZARO** –Garry Rhodes said that there are still items need to be resolved. Some are big others are not. The drainage plans are based on old data and he feels we should postpone until those are answered. He noted the parking lot lighting and the direct neighbors.

Tom Gegan was hired by the condo association to overlook what they are proposing. They will work with applicant and would need more time to review this latest plan.

DORE' HUNTER – Moved to continue to Sept. 27 at 7:30. TREY SHUPERT – Second. UNANIMOUS VOTE.

### **TRAFFIC RULES AND ORDERS INDIAN VILLAGE**

Bruce Stamski said that 3 of the 16 are eliminated. Bob asked that Nancy Tavernier be thanked for her memo. PETER ASHTON – Moved to adopt Stop Signs shown on original list with the three deleted. BOB JOHNSON - Second. UNANIMOUS VOTE

**DI CAPRI PIZZARIA, 576 MASS AVE. -** TREY SHUPERT – Moved to approve the Common Victualler License. BOB JOHNSON – Second. UNANIMOUS VOTE.

**TRAFFIC RULES AND ORDERS BROOKSIDE MALL** – Peter feels that this concludes one more problem solved at Brookside Mall- BOB JOHNSON – Moved to approve proposed the signage at Brookside Mall. TREY SHUPERT – Second. UNANIMOUS VOTE.

Bruce Stamski noted for the record that he has no affiliation with Stamski and McNary.

## **SELECTMEN'S BUSINESS**

**OUTDOOR LIGHTING BYLAW COMMITTEE** – Dore' discussed the proposed status of the Committee. Trey discussed Garry Rhodes role. He has spoken to OLAC about changes, and wants to continue to educate the town on issues of outside lighting. Trey said he would leave their role up to the Town. Dore' said he thought that education

should be referenced in their name. TREY SHUPERT – Moved to establish an Outdoor Lighting Education Committee for the purpose of continuing current work with a term to end 2005. UNANIMOUS VOTE. DORE' HUNTER - further Moved to roll over current committee members into the new Committee. TREY SHUPERT - Second. UNANIMOUS VOTE.

#### **ACTON WATER DISTRICT – WATER-LAND ADVISORY COMMITTEE**

The Water Commissioner's have asked for the Boards input into the Selectmen's appointment to the committee. BOB JOHNSON Moved to appoint Paul Malchodi to the Acton Water District Water-Land Management Committee. TREY SHUPERT – Second. UNANIMOUS VOTE.

**PLANNING BOARD ASSOCIATE MEMBER (GARY SULLIVAN) ELEVATION TO FULL MEMBER** – BOB JOHNSON - Move to Appoint Gary Sullivan as a full member with a term to expire 6/30/09. TREY SHUPERT – Second. UNANIMOUS VOTE.

**FALL SPECIAL TOWN MEETING** – There is a request to add an article to reallocate \$25,000 for Willow and Central Street Community Housing Fund. CPC is drafting a response. John Murray asked if they wanted to close the Warrant tonight at the conclusion of the Meeting, or on Friday. PETER ASHTON – Moved to Close the Warrant at the close of our meeting tonight. WALTER FOSTER – Second. UNANIMOUS VOTE.

PETER ASHTON – Moved to put the request for to reallocate CPC Funds for the Feasibility Study on the Willow Street ACHC project in the amount of \$25,000 on the Special Town Meeting Warrant. TREY SHUPERT – Second. UNANIMOUS VOTE.

#### **OTHER BUSINESS**

Peter spoke about 2020 meeting at COA at 7:30 about Finalizing Capital Plan. Peter was asked to write a blurb for the State of the State of Town Meeting for the Municipal Quarterly.

CPC – Deadline date for submissions is November 12<sup>th</sup>.

Peter updated the Board on ALG issues that are being discussed.

Dore' spoke about the Boxboro Dispatch issue. Dore' sent message to Don Wheeler regarding the fact that we had had a couple of meetings but did not seem to be at a high enough level, and suggested that he read the letter of January 26<sup>th</sup> from Walter Foster. He received a memo back regarding how committed they are. John Murray suggested we get the volume of calls expected.

## **CONSENT AGENDA**

PETER ASHTON – Moved to approve. – BOB JOHNSON – Second. UNANIMOUS VOTE

# TOWN MANAGER'S REPORT

None

## EXECUTIVE SESSION

BOB JOHNSON –Move to go into Executive Session for the purpose of discussing Litigation and strategy. PETER ASHTON – Second. All AYES

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Christine Joyce  
Recording Clerk

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Clerk

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Date

September 10, 2004

**TO:** Board of Selectmen, Sewer Commissioners

**FROM:** F. Dore' Hunter, Chairman

**SUBJECT:** Selectmen and Sewer Commissioners Report

## **September 13, 2004**

**Please note special start time: 6:30 P.M. EXECUTIVE SESSION**

### **I CITIZENS' CONCERNS**

### **II SEWER COMMISSIONERS' BUSINESS**

#### **1. SEWER BETTERMENTS**

### **III PUBLIC HEARINGS & APPOINTMENTS**

- 2. 7:10 SPECIAL USE PERMIT #7/21/04-398, 10 CRAIG ROAD, RICH ARCHER –**  
Enclosed please find materials in the subject regard, for Board consideration.
- 3. 7:20 SITE PLAN SPECIAL PERMIT #03/09/04-396, MARGARET NAZZARO, 253 ARLINGTON STREET (Continued from previous meetings) –** Enclosed please find materials in the subject regard, for Board consideration.
- 4. 7:45 TRAFFIC RULES AND ORDERS, INDIAN VILLAGE–** Enclosed please find materials from the Engineering Department in the subject regard, for Board consideration.
- 5. 8:00 DI CAPRI PIZZARIA, 576 MASS AVE.** Enclosed please find a request for a Common Victualler's License, for Board consideration.
- 6. 8:10 TRAFFIC RULES AND ORDERS, BROOKSIDE MALL –** Enclosed please find materials in the subject regard, for Board consideration.

### **IV SELECTMEN'S BUSINESS**

- 7. OUTDOOR LIGHTING BYLAW COMMITTEE –** Enclosed please find a memo from Garry Rhodes in the subject regard, for Board consideration.
- 8. DAVIS MONUMENT PROJECT SIGN –** [ Item withdrawn pending staff information ]
- 9. ACTON WATER DISTRICT WATER-LAND MANAGEMENT ADVISORY COMMITTEE–**  
Enclosed please find information from the Water Supply District regarding re-activating the Water Land Management Advisory Committee, for Board consideration.
- 10. PLANNING BOARD MEMBER ELEVATION –** Enclosed please find a request for the elevation of Gary Sullivan from Associate Member to Full Member of the Planning Board, for Board consideration.

11. **SPECIAL TOWN MEETING WARRANT** – The Board will need to vote a closing date for the Special Town Meeting Warrant.

12. **OTHER BUSINESS**

## **V CONSENT AGENDA**

13. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Recreation for a One Day Liquor License at NARA for Acton Day, on September 19, 2004, for Board consideration.

14. **ACCEPT GIFT** – Enclosed please find a request from the Fire Chief for Board acceptance of a donation from the Permanent Firefighters Local 1904 in the amount of \$6,000. for "Preservation of Antique Fire Apparatus" owned by the Town of Acton, for Board consideration.

15. **UNDERGROUND STORAGE LICENSE, 341 GREAT ROAD** – Enclosed please find a request from the Fire Chief to change the name on the underground License to reflect the new owner, for Board consideration.

16. **PROCLAMATION – UNITED NATIONS DAY** - Enclosed please find a request from the the United Nations proclaiming October 24, 2004 as United Nations Day, for Board consideration.

17. **BOSTON EDISON PETITION** – Enclosed please find a request from Boston Edison – DBA, NStar, to re-locate a pole on Martin Street at Stow Street, for Board consideration.

## **VI TOWN MANAGER'S REPORT**

## **VII EXECUTIVE SESSION**

### **ADDITIONAL INFORMATION**

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

### **FUTURE AGENDAS**

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

Sept. 27 Continued Rail Road Street Site Plan, Acton Wine and Spirits Violation Hearing, 495 Group

Oct. 19

Dec. 13

Nov. 1, 15 and 29

Jan. 24

### **GOALS 2004-2005**

1. Establish Protocol for Manager and Supt. of Schools to confer weekly to improve liaison (Dore')
2. Produce Morrison Farm Development Master Plan (Bob/Walter)
3. Improving Intra Board Communication (Dore')

### **GOALS carried forward**

4. Monitor Labor Negotiations (Peter/Trey)
5. Improve Communication with Town Boards (ALL)
6. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
7. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
8. Process Planning for "Life after NESWC" (Bob)
9. Joint IT process-organizational change (Walter/Dore')
10. Middlesex Pension Alternatives (Walter/Trey)